

Appln. No. 10/039,390

Attorney Docket No. 10541-587

III. Remarks

By this paper, Applicants have elected Group I, Claims 1-23, with traversal; cancelled Claim 2; and amended Claims 1, 3, 9, 11, 16-17, 21, 24, 27, 29 and 30. Reconsideration of the restriction requirement and further examination of this application is respectfully requested.

Traversal of Restriction Requirement

The Examiner imposed a restriction to one of two groups, namely Group I, having Claims 1-23 drawn to a hydrocarbon sensor and collector, and Group II, having Claims 24-30 drawn to a method for absorbing hydrocarbons and detecting the level of hydrocarbons in an engine air intake. The Examiner correctly notes that Inventions I and II are related as a product and a process of use. The Examiner further asserts that the process as claimed can be practiced by another materially different apparatus.

The Applicant herein elects Group I having Claims 1-23, but respectfully traverses the restriction requirement. The Examiner has asserted that the process as claimed can be practiced by another materially different apparatus, such as one that does not include an absorbing element comprising a plurality of chambers. The applicant respectfully disagrees. Claim 24 has been amended to recite that the element has "plurality of chambers arranged so as to allow air to pass through said element." Additionally, Claim 1 has been amended to recite the element being

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"operatively connected to a detecting means" to correspond with the limitations of Claim 24. Therefore, the method described in Claim 24 as amended cannot be practiced by another apparatus materially different than the apparatus in Claim 1 as amended.

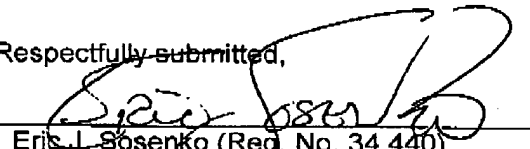
For these reasons, the Applicants respectfully traverse the restriction requirement and requests reconsideration based on the foregoing.

Summary

Applicants respectfully assert that Claims 1 and 3-30 are properly examinable together. The Examiner is invited to contact the undersigned agent for the Applicants via telephone number (734) 302-6000, if such communication would expedite this application.

December 23, 2003
Date

Respectfully submitted,


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Attorney/Agent for Applicant

EJS/JHB/vtg